GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

PUBLIC SERVICES – Dept., for Women, Children, Differently Abled & Senior Citizens - Smt. M.K.R.Vijaya Kumari, Regional Dy. Director, WD&CW Dept., Guntur (Retd) - indulged in criminal case and sent to judicial custody on the charges of Criminal intimidation – Disciplinary proceedings initiated under Rule-20 of A.P.C.S (CC&A) Rules, 1991 - imposing the punishment of 10% cut in pension for a period of three years under rule 9 of A.P. Revised Pension Rules, 1980 - orders of the Hon'ble A.P. High Court dated 23.11.2022 in W.P.(AT)No.60/2021 - Further action dropped – Orders - Issued.

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DEPTT FOR WOMEN, CHILDREN, DIFFERENTLY ABLED AND SENIOR CITIZENS (ESTT)

G.O.RT.No.8. Dated:22-01-2024.

Read the following:-

1. G.O.Rt.No.458, W.D, C.W & D.W Dept. dated 04-12-1999.
2. Government Memo.No.8880/Estt.A2/99-5, dated 03.02.2000.
3. From Smt.M.K.R.Vijaya Kumari, R.D.D., W.D & C.W., Eluru (U/s) explanation dated 25-07-2000.
4. G.O.Ms.No.335, W.D.C.W & D.W (Estt.) Dept., dt.26.09.2000.
5. From Jt. Dir. (Admn.), O/o Dir., W.D & C.W., A.P., Hyd, Lr.No.01/E.O(JDA/06), dated 24-03-2006 forwarding enquiry report.
6. Govt. vide G.O.Rt.No.95, Dept. for WCD & SCs [Estt.A2], dt.22.03.2011.
7. Hon'ble A.P.A.T in its final orders dated 02.09.2013 in O.A.No.2492 of 2011.
8. Government Memo.No.8880/Estt.A3/1999, dated 29-04-2015.
9. Explanation dated 30-06-2015 submitted by the Charged Officer.
10. Govt. vide G.O.Rt.No.167, Dept. for WCD & SCs (Estt.A3), dated 06.10.2015
11. Orders of the Hon'ble A.P.H.C in W.A No.1057 of 2022, dated 03-01-2022.
12. In W.A.No.1057 of 2022, in the Hon'ble A.P. High Court orders dated:03-01-2023

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ORDER:-

Whereas, Government vide reference 1st read above, has suspended Smt. M.K.R. Vijaya Kumari, the then R.D.D., W.D & C.W., Eluru, from service as she was involved in a Criminal Case and sent for judicial Custody on the charges of criminal

(P.T.O)

intimidation in connection with an Orphan minority girl by name Kum. Shaik Begum alias Manjula. Further, Government vide reference 2nd read above, has issued the Articles of Charges to the Charged Officer based on the report of the Collector & District Magistrate, W.G. District, Eluru.

2. Whereas, vide reference 3rd read above, the Charged Officer has submitted her written statement to the Articles of Charges framed against her, denying all the above three charges. Govt vide reference 4th read above, has appointed the Joint Director (Admn.) as Inquiry Officer to Inquire into the charges framed against the Charged Officer, in exercise of the powers conferred by sub-rule (2) of Rule – 20 of A.P.C.S (CC&A) Rules, 1991. The Inquiry Officer, vide reference 5th read above, had submitted his Inquiry report stating that the Charges –I, II and III are held not proved.

3. Whereas, vide reference 6th read above, Government has issued the Articles of Charges to Smt. M.K.R.Vijaya Kumari, while working as RDD, WD&CW, Eluru and presently RDD, WD&CW, Kurnool(Retd), as she failed in filing of FIR on missing of the Orphan minor girl for three days from 14.06.1999 including two other.

4. Whereas, vide reference 7th read above, the Hon'ble APAT has directed the respondents not to proceed with the enquiry based on the Charge Memo. Issued vide reference 6th read above and directed to pass appropriate orders regulating the suspension period of the applicant from 02.12.1999 to 13.07.2003, in accordance with the rules.

5. Whereas, Govt. vide reference 10th read above, has issued orders imposing the cut of 10% in admissible pension for a period of three years under Rule – 9 of A.P. Revised Pension Rules, 1980, after obtaining the concurrence of A.P.P.S.C.

6. Whereas, vide reference 11th read above, the Hon'ble High Court in its orders, while disposing of the W.P.(AT)No.60 of 2021 and setting aside the order of punishment imposed on her, left open to the respondent authorities to re-enquire and re-examine the matter and pass a reasonable order in accordance with Rules.

7. Whereas, vide reference 12th read above, the Hon'ble A.P. High Court has passed the following orders in the W.A filed by the Charged Officer:

> "For the aforesaid reasons, the Writ Appeal is allowed and the order of the learned Single Judge dated 23.11.2022 in W.P.(AT) No.60 of 2021 is set aside to the extent of permitting the respondents to re-enquire and re-examine the matter and pass a reasoned order. Consequently, W.P(AT) No.60 of 2021 is allowed, setting aside G.O.Rt.No.167, Dept for WCDA & SC, dated 06.10.2015. It is needless to observe that the writ petitioner-appellant herein is entitled for all the consequential benefits. No order as to costs."

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8. Government after careful examination of the entire matter, hereby decided and order to drop further disciplinary action against Smt. M.K.R.Vijaya Kumari, RDD, WD&CW, Kurnool (Retd) and to release all the consequential benefits entitled to her as per the directions of the Hon'ble High Court of Andhra Pradesh.

9. The Commissioner, WD&CW Dept., Govt., of A.P., Guntur, shall take further necessary action in the matter.

(BY ORDER IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

G JAYALAKSHMI
PRINCIPAL SECRETARY TO GOVERNMENT

To
Commissioner, WD&CW Dept., Govt., of A.P., Guntur,

Copy to:
Smt.M.K.R.Vijaya Kumari, RDD, WD&CW, Kurnool (Retd)
(Through the Commissioner, WD&CW, Govt., of A.P)
PS to Minister (WDCA&SC)
SF/SC.

// FORWARDED :: BY ORDER //

K.Suneetha
SECTION OFFICER